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| APPLICATION NO.                   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------|-------------|----------------------|---------------------|------------------|
| 10/679,335                        | 10/07/2003  | Nobushige Aoki       | 03500.017642        | 2654             |
| 5514                              | 7590        | 10/09/2007           | EXAMINER            |                  |
| FITZPATRICK CELLA HARPER & SCINTO |             |                      | HASSAN, AURANGZEB   |                  |
| 30 ROCKEFELLER PLAZA              |             |                      | ART UNIT            | PAPER NUMBER     |
| NEW YORK, NY 10112                |             |                      | 2182                |                  |
| MAIL DATE                         |             | DELIVERY MODE        |                     |                  |
| 10/09/2007                        |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                              |                  |
|------------------------------|------------------------------|------------------|
| <b>Office Action Summary</b> | Application No.              | Applicant(s)     |
|                              | 10/679,335                   | AOKI ET AL.      |
|                              | Examiner<br>Aurangzeb Hassan | Art Unit<br>2182 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 June 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,5 and 20-31 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,5 and 20-31 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/9/2007 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 20 – 22 and 25 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa et al. (US Publication Number 2003/0085942 hereinafter "Narusawa") in view of Leslie (US Publication Number 2003/0142325).

4. As per claims 1 and 25, Narusawa teaches a print system and method, in which a printer (printer 1, figure 1) and a host computer (paragraph [0085]), each of which includes a communication interface for transmitting and receiving information in real

time (communication via interface 29, figure 2); are connected to each other to communicate with each other, comprising:

the printer comprising:

an operation panel for receiving an instruction from a user (user interface, figure 5);

an operation panel controller for, in response to receiving the instruction with the operation panel, generating print setting information of an interruption event (interrupt generation, paragraph [0083]), and transmitting the print setting information (paragraph [0086]); and

a printer engine for performing printing (print engine 28, figure 2).

Narusawa teaches an embodiment of a stand-alone printer in which an interrupt is generated and transmitted within the printer and printer controller however does not explicitly describe notifying a host computer of the interrupt event. However it would have been obvious to one of ordinary skill in the art to utilize the printer of Narusawa with a host computer via the communication interface (host computer can be connected via interface 29, figure 2, paragraph [0085]), therein the host computer receiving a notification of an interrupt event from the printer. One of ordinary skill in the art would be motivated to make such modification in order to have increased flexibility in data printing (paragraphs [0003,0004 & 0085]).

Narusawa does not explicitly disclose a transmission unit in the printer and the details of the functionality of the host computer.

Leslie teaches a printer communicating with a host computer wherein,

the printer (14, figure 1) comprises:

a transmission unit for transmitting image data which is an object of setting of the print setting information to the host computer (transmission unit carries out step 74 to 76 in transmitting the print setting to the host computer, paragraph [0041]); and

the host computer (12, figure 1) comprising:

receiving means for receiving the print setting information from the printer (host computer receives print image data, paragraph [0041]);

an interruption controller for detecting the interruption even notified by the printer (host computer utilizes built-in controller to recognize the transmission of data from the printer, 18, figure 1); and

display control means (16, figure 1) for causing a display apparatus to effect a print preview display, in response to detecting the interruption event by the interruption controller (in response to the interrupt and transmitted data, host displays print setting on 16a, figure 1, paragraphs [0041 - 0042]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enhance the print preview function of Narusawa with the image updates on the host display of Leslie. One of ordinary skill would be motivated to make such modification in order to enhance a true depiction of data printing (paragraph [0012]).

The Examiner makes a note to the Applicant that Narusawa teaches an interrupt controller for detecting print settings on the printer along with a display which responds

with a preview of the settings established by the user in the embodiment of a digital camera as seen in figure 12. Narusawa states that a computer, mobile telephone and portable remote terminals also have all of the same functionality as described for the digital camera (paragraphs [0085 & 0126]).

5. As per claims 5 and 26, Narusawa teaches a print system and method, wherein the printer includes a direct print controller for effecting printing not through the computer so that printing is executable with the printer alone (stand-alone printer, paragraph [0078]).

6. As per claims 20 and 27, Narusawa teaches a print system and method, wherein the host computer further comprises generating means for receiving image data read out from a memory card attachable to the printer (memory card 2 is attachable to card slot 13, figure 1), and generating print data corresponding to the print setting information, from the received image data (paragraph [0118]).

7. As per claims 21 and 28, Narusawa teaches a print system and method, wherein at every interruption event, the display control means causes the display apparatus to effect the print preview display in which the print setting information changed at every interruption event is reflected (user pushes various buttons and the selected print-condition setting file is effected, figure 14, paragraph [0118]).

8. As per claims 22 and 29, Narusawa teaches a print system and method, wherein the printer starts printing on the basis of the print data received from the host computer which receives the interruption event corresponding to an operation of a print start button disposed on the operational panel (paragraphs [0120-0121]).

9. Claims 23, 24, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa.

10. As per claims 23 and 30, Narusawa teaches a print system and method, in which a printer (figure 1) and a host (element 3, figure 12), each of which includes a communication interface for transmitting and receiving information in real time (USB figure 12), are connected to each other to communicate with each other, the host comprising:

receiving means for receiving image data read out from a memory card attachable to the printer (camera reads memory card, paragraph [0118]);  
detecting means for detecting an interruption event transmitted from the printer to the host (interrupt generation, paragraph [0083] in communication with host [0085]), in accordance with an instruction from a button disposed on an operation panel of the printer (figure 5); and

print preview display control means for (element 139, figure 13), in response to the interruption event, obtaining a print setting set with the operation panel (setting from panel save in memory card, paragraph [0118]) and controlling to cause a display

apparatus of the host to effect a print preview display by applying the obtained print setting to the received image data in which the print setting is reflected (figure 15).

Narusawa does not explicitly disclose the functionality of the host is comprised in the host computer, however does say that the host can be a host computer interchangeably with full functionality (paragraphs [0085 & 0126]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to utilize the host computer environment or the digital camera environment interchangeably as taught by Narusawa (paragraphs [0085 & 0126]). One of ordinary skill would be motivated to utilize such environment to accommodate a user-friendly interface (paragraph [0009]).

11. As per claims 24 and 31, Narusawa teaches a print system and method, wherein the print preview display control means updates the print preview display every time the print setting is changed in accordance with the operation of the operation panel (selected print condition is effected, paragraphs [0118-0119]).

#### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1, 5 and 20 – 31 have been considered but are moot in view of the new ground(s) of rejection.

13. Furthermore, in order for the Applicant to better understand the current rejection the Examiner has provided an explanation of the prior art with respect to the Applicant's arguments.

The Applicant argues:

1) Claims 23 and 30, are directed to a print system substantially in accordance to that of newly amended Claim 1 and therefore in a condition of allowance.

14. As per argument 1, the Examiner respectfully disagrees. The Applicant argues limitations of the newly amended claim 1, which are not required in claims 23 and 30. Note claims 23 and 30 do not require a transmission unit to send image data from the printer, but image data is from the memory card that is "**attachable**" to a printer. Thus the examiner notes that the features upon which applicant relies (i.e., printer transmitting image data to the host computer) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Publication Number 2005/0275872 teaches a printer with a memory card reader integrated on the surface of the printer further coupled to a computer. The system allows for data enhancement of images stored on the card and

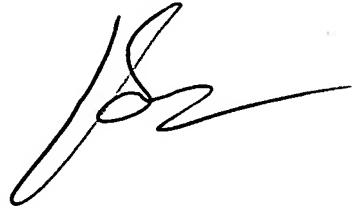
the Examiner further cites the functionality of an operating system and the print preview functionality inherited therein. Operating systems further include drivers to handle and process interrupts from devices that are connected to the computer. The Examiner also makes US Publication Number 2002/0054350 of record as pertinent prior art as it teaches a printer with memory card and stand-alone capabilities as well as functionality of being coupled with a computer. As well as copending application US Publication Number 2004/0080778 which teaches all of the components of the current application with the variation of the operational panel being external of the printer.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aurangzeb Hassan whose telephone number is (571) 272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH



KIM HUYNH  
SUPERVISORY PATENT EXAMINER

